

Orr&Reno

John L. Arnold
jarnold@orr-reno.com
Direct Dial 603.223.9172
Direct Fax 603.223.9072

June 10, 2025

VIA FEDERAL EXPRESS and EMAIL (landuseadministrator@canterburynh.gov)

Town of Canterbury
Zoning Board of Adjustment
10 Hackleboro Road
PO Box 500
Canterbury, NH 03224
Attn: Michelle Hammond

Re: Special Exception and Variance Applications – 125 West Road

Dear Ms. Hammond:

Enclosed please find the following documents in connection with 125 West Road, Canterbury, NH:

1. Application for Variance;
2. Narrative in support of variance application w/ Exhibit;
3. List of abutters;
4. Application for Special Exception;
5. Narrative in support of special exception application w/ Exhibits;
6. List of abutters; and
7. A check in the amount of \$521.00 to cover both applications.

Please place this matter on the next ZBA agenda. Thank you for your assistance and if you require anything further, please feel free to contact me.

Sincerely,


John L. Arnold

Enclosures

ORR AND RENO PROFESSIONAL ASSOCIATION, CONCORD, NH

Town of Canterbury NH

Invoice Date Invoice No. Description

6/10/2025 06102025

Filing Fee for Variance & Special Variance Applications

Matter ID

019412-0001

Amount

521.00

86860

Check Date: 6/10/2025

Check Number: 86860

Total Check Amount: \$521.00

Orr&Reno

PROFESSIONAL ASSOCIATION

45 S. Main Street, Suite 400, P.O. Box 3550, Concord, NH 03302-3550

Telephone: 603-224-2381 • Facsimile: 603-224-2318

www.orr-reno.com

Peoples United Bank

51-7218/2211

DATE

6/10/2025

AMOUNT

521.00

86860

PAY Five Hundred Twenty-One & No/100 Dollars

Town of Canterbury NH

TO THE ORDER OF

TWO SIGNATURES REQUIRED OVER \$200.00
VOID AFTER 90 DAYS

AUTHORIZED SIGNATURE

⑈086860⑈ ⑆022000046⑆ 3600003518⑈

Security Features. Details on back.



PEOPLES UNITED BANK

MP

MP

For ZBA use:
Fees paid: _____
Case #: _____
Date: _____

**ZONING BOARD OF ADJUSTMENT
CANTERBURY, NH**

APPLICATION FOR VARIANCE

The undersigned hereby makes application for a Variance under the terms of Canterbury Zoning Ordinances.

Applicant: John L. Arnold Owner: GRJH, Inc.
Address: Orr & Reno, P.A. , 45 S. Main Address: c/o Falcom Petroleum, LLC, P.O. Box 522
St., Concord, NH 03301 Millerson, New York 12546
Phone # _____ (H) 603-223-9172 (W) Phone # _____ (H) 917-502-0083 (W)

Zoning District (AC, C, CH, I, N, RE or RU): C

Map and Lot #: Map 248, Lot 16

Article and Section of the Zoning Ordinance involved: Article 2, Section 2.6A & B

Brief description of the proposed variance: Internal illumination and electronic price display for gas station signage.

The undersigned alleges that the following circumstances exist to support this variance request.

1. An unnecessary hardship would be imposed by a literal application of this ordinance.
 - a) For a use variance, the following must be determined to support a finding of unnecessary hardship:
 1. The zoning restriction as applied to the applicant's property interferes with the applicant's reasonable use of the property, considering the unique setting of the property in its environment; See attached narrative.
 2. No fair and substantial relationship exists between the general purposes of the Zoning Ordinance and the specific restriction on the property; See attached narrative.

3. Granting the variance will not injure the public or private rights of others; _____
See attached narrative.

b) For an area variance, the following must be determined to support a finding of unnecessary hardship;

1. An area variance is needed to enable the applicant's proposed use of the property given the special conditions: _____

See attached narrative.

2. The benefit sought cannot be achieved by some other method reasonably feasible for the applicant to pursue other than an area variance. _____

See attached narrative.

2. Authorization of a variance will not be contrary to the public interest; _____
See attached narrative.

3. The spirit of this Ordinance shall be observed and substantial justice done in the use or structures resulting from the authorization of a variance. _____
See attached narrative.

4. No diminution in the value of surrounding properties would be suffered as a result of the authorization of the variance. _____
See attached narrative.

Plot Plan to Accompany Application. This application must be accompanied by a plot plan which is drawn to scale and is of sufficient detail to support the statements made in this application, and to illustrate compliance with the special conditions required in the ordinance. At a minimum, the plot plan must show the location and dimension of existing and proposed building footprints, setback distances to the property lines and road right of way; the location of well and septic systems; significant physical or topographic limitations to development of the lot; and parking and loading areas as applicable. Setback distances from roads must be based on the distance from the edge of the right of way, not the pavement edge. If you are

uncertain of the road right of way location, contact the Town Road Agent for more information.

By signing this application I/we understand that the information provided herein is accurate and is in accordance with the Canterbury Zoning Ordinance and other land use regulations of the Town and other applicable state and federal regulations which may apply.

If the applicant is not the same as the owner, a letter of authorization must be submitted along with the application.

I/we consent to allow the Canterbury Zoning Board of Adjustment or its designee to make onsite inspection(s) of my/our property as deemed necessary for the evaluation of my/our application.



Attorney for Owner



Date

Owner/Applicant Signature

Date

TOWN OF CANTERBURY, NH
ABUTTERS FORM

Instructions: Please indicate the name and mailing address of all abutters to the property which shall be reviewed by the Zoning Board. "Abutter" means any person whose property is located in New Hampshire and adjoins or is directly across the street or stream from the land under consideration by the local land use board. For purposes of receiving testimony only, and not for purposes of notification, the term "abutter" shall include any person who is able to demonstrate that his land will be directly affected by the proposal under consideration. For purposes of receipt of notification by a municipality of a local land use board hearing, in the case of an abutting property being under a condominium or other collective form of ownership, the term abutter means the officers of the collective or association, as defined in RSA 356-B:3, XXIII. Please also include the names of all Attorneys, Engineers, Surveyors, Planners, or Architects whose stamp appears on the plat to be submitted to the Board for review and the owner of the property on the plat. **PLEASE MAKE ADDITIONAL COPIES OF THIS FORM AS NECESSARY.**

Name: William L. Helm, III & GRJH, Inc.
Map / Lot: Map 248 Lot 16
Street: P.O. Box 522
City: Millerton
State/Zip: NY 12546

Name: Dennis Keifer & Barbara Lundberg
Map / Lot: Map 248 Lot 12
Street: 134 West Road
City: Canterbury
State/Zip: NH 03224

Name: State of New Hampshire
Map / Lot: Map 248 Lot 17
Street: P.O. Box 483
City: Concord
State/Zip: NH 03302-0483

Name: Robin Lynn Preve & Anthony Abbott
Map / Lot: Map 251 Lot 20
Street: 147 West Road
City: Canterbury
State/Zip: NH 03224

Name: Harold F. French
Map / Lot: Map 248 Lot 9
Street: 118 West Road
City: Canterbury
State/Zip: NH 03224

Name: Station Meadow, LLC
Map / Lot: Map 251 Lot 18
Street: 4 Dunlap Road
City: Burlington
State/Zip: MA 01803

Name: Laura French, Chloe French & Dylon Montminy
Map / Lot: Map 248 Lot 8
Street: 114 West Road
City: Canterbury
State/Zip: NH 03224

Name: 114 West Road, LLC
Map / Lot: Map 248 Lot 8.1
Street: 709 Keith Avenue
City: Pembroke
State/Zip: NH 03275

Name: Dale & Judith Patterson
Map / Lot: Map 248 Lot 11
Street: 130 West Road
City: Canterbury
State/Zip: NH 03224

Name: John L. Arnold, Esq.
Map / Lot: Orr & Reno, PA
Street: 45 S. Main Street
City: Concord
State/Zip: NH 03301

**NARRATIVE IN SUPPORT OF
VARIANCE APPLICATION – GRJH, INC.**

GRJH, Inc. owns the property located at 125 West Road in Canterbury (Tax Map 248, Lot 16) (the “Property”). The Property is located in the Commercial Zoning District, right off of Exit 18 from Route 93. It has historically been operated as a gas station, although it has been closed for the past several years as GRJH has worked steadily to renovate and reopen the station and related Underground Fuel Storage Tank (“UST”) system since then.

In October 2024, this Board granted a Special Exception to GRJH to resume the gasoline station use. In December 2024, the Board determined that the UST system was protected as a pre-existing nonconforming use in the Groundwater Protection Overlay District, and could be replaced without the need for a new variance. At those meetings, GRJH explained that it was seeking these fundamental approvals for the use itself, and that it had not yet completed all of its design work with respect to signage.

GRJH has now identified Gulf Oil as the station operator, and Gulf has provided its signage requirements, attached hereto as Exhibit A. Section 2.6 of the Zoning Ordinance authorizes this Board to grant a special exception to increase the size, height and number of signs in the Commercial Zoning District. Contemporaneously herewith, GRJH has submitted an application for Special Exception to allow more than one sign, more than 10sf. of signage, and a freestanding sign measuring approximately 20’ tall.

Separately, the Zoning Ordinance expressly prohibits internally illuminated signs and electronic message board signs. The proposed signage includes internal illumination, and the gasoline price display is electronic, although it is unclear whether it constitutes an electronic message board sign (such term is undefined in the Zoning Ordinance). Consequently, GRJH seeks:

- 1) An initial zoning determination on whether the price sign constitutes an electronic message board sign, and if so, a variance from Section 2.6.B. to allow electronic gasoline price display on the proposed pylon sign; and
- 2) A variance from Section 2.6.A. to allow internally illuminated signs.

Discussion

1. The variances will not be contrary to the public interest.

A variance is contrary to the public interest if “it unduly and in a marked degree conflicts with an ordinance such that it violates the ordinance’s basic zoning objectives.” Farrar v. City of Keene, 158 N.H. 684, 691 (2009) (internal quotations omitted). In determining whether a variance would violate basic zoning objectives, the board should examine whether the variance would alter the essential character of the locality, or whether the granting of the variance would threaten public health, safety or welfare. Id.

Here, the proposed signage will not alter the essential character of the locality. This station is right at the highway exit, adjacent to the DOT maintenance shed on one side and park

and ride on the other. There are a few residential properties across the street, but the residences are set back from the street and well screened with natural vegetation. The existing pylon sign for the gas station is internally illuminated, and that has been a characteristic of the neighborhood for decades. Adding electronic gas price display will not substantially change the appearance or impact of the signage. The internal illumination and electronic price display will not threaten public safety, health or welfare. Instead, the internal illumination will make the signs more visible, which will enhance the safety of motorists. The electronic price display has become an industry norm, and enhances the safety of employees by enabling them to display prices without going outside, particularly in inclement winter weather.

2. The spirit of the ordinance is observed.

The New Hampshire Supreme Court has determined that this criterion overlaps with the public interest requirement. See Chester Rod & Gun Club v. Town of Chester, 152 NH 577, 580 (2005). For the reasons discussed above, the variances would observe the spirit of the ordinance. Further, one purpose of the sign ordinance is ensure signage is effective and safe, while also fitting with the rural character of Canterbury. While internally illuminated or electronic signs may be obtrusive or out of character in the more rural areas of Town, this Property has historically operated as a gas station adjacent to the highway, segregated from those more rural areas, with an internally illuminated sign. Internal illumination and electronic price display in this location will not detract from the appearance of the area, but will enhance both the effectiveness and safety of the signage for a gas station business.

3. Substantial justice is done.

Substantial justice is done where granting a variance will not cause harm to the general public that outweighs the benefit to the applicant. See Malachy Glen Associates v. Town of Chichester, 155 N.H. 102, 109 (2007). That is the case here. The internal illumination and electronic price display will not harm the public. The public has come to expect gas station signage to be internally illuminated, and have electronic price display. These characteristics are generally considered to benefit the public by making the signs easier to read for passing motorists. The benefit of the variances to GRJH is substantial because they allow their operator (Gulf) to maintain brand-consistent signage among its stores, and to enhance employee safety by eliminating the manual price changing.

4. The value of surrounding properties is not diminished.

The variances will not impact surrounding property values. As noted above, the Property is bounded by Route 93 and the Park and Ride on one side, and the DOT maintenance shed property on the other. The residences across the street are well-screened, and have co-existed with the prior gas station for years. Modern, ample signage is critical for any gas station operator to succeed at the Property. The Property has been vacant for several years and has fallen into disrepair. Renovating the Property and putting it back to a viable commercial use will dramatically improve the appearance of the site, which will likely to benefit surrounding property values.

5. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship because, owing to special conditions of the property that distinguish it from other properties in the area:

a. *No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property.*

The Property is unique in that it has historically been operated as a gas station, it is adjacent to Route 93, it is well-screened from nearby residences, and is separated from the Town's more rural and historic areas.

The general public purpose of prohibiting internal illumination and electronic displays is to maintain the rural character of the Town and prevent unsightly and distracting advertisements. Internal illumination has been used on the existing pylon sign for years, and has not detracted from the rural character of the Town, or caused any distraction to motorists. Because of the Property's proximity to the highway, and separation from more the more rural areas of Town, internal illumination can be appropriately used here without such ill-effects. And to the contrary, having more visible signage in proximity to the highway interchange and park and ride better serves the business, and the general public.

Electronic message board signs are undefined in the Zoning Ordinance, but they are typically considered to be message boards that contain scrolling or frequently changing messages. Although the gas prices would be displayed electronically, they do not scroll, flash, or even change frequently. Typically, the gas prices would not change more than once in a given day, and may stay unchanged for several days in a row. As such, the electronic price display is fundamentally different than typical electronic message board signs. The primary reason that such displays have been widely adopted at gas stations is that it greatly facilitates the changing of prices. Rather than having to send an employee out in the middle of winter with a long pole and set of numbers to change the price, the price can be changed from inside the store with a few clicks of the keyboard. This saves employees from having to navigate the parking lot, and potentially challenging terrain around the base of the sign.

b. *The proposed use is reasonable.*

The internal illumination and electronic price display have become the industry standard for gas stations. To attract a reputable, recognizable brand and operator, certain minimum signage must be available. Securing operators of that caliber helps to ensure the long-term success of the business, and the success of such businesses likewise benefits the Town.

Exhibit A
(Proposed Signage)



BIG RED
ROOSTER FLOW
Maxim Retail Solutions - Berkshire Hathaway

FACILITY NAME:

CANTERBURY GULF

PROJECT LOCATION:

124 WEST ROAD,
CANTERBURY, NH, 03224

PROJECT OVERVIEW:

- A** Canopy Visuals
- B** Dispenser Visuals
- C** Main ID Visuals
- D** Amenity Bin / Paint Visuals

approval signature _____

I have reviewed the visuals within this document and I approve the designs and scope of work listed within.



PROPOSED

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Facility #	Date
92051183	09_25_2024

Customer
GRJH INC

Created by
B. DIGHERO

Revision #
Original

Page #
1 OF 12

BIG RED ROOSTER FLOW
 2 Northfield Plaza, Ste 250
 Northfield, IL 60093
 P: (847) 441-1818 F: (847) 592-9564

Permit Pack

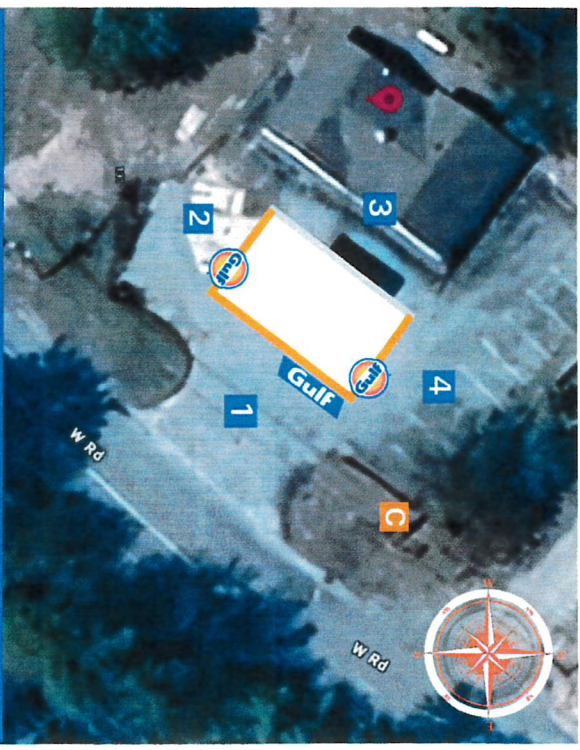
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www.layalstore.com No. 7301

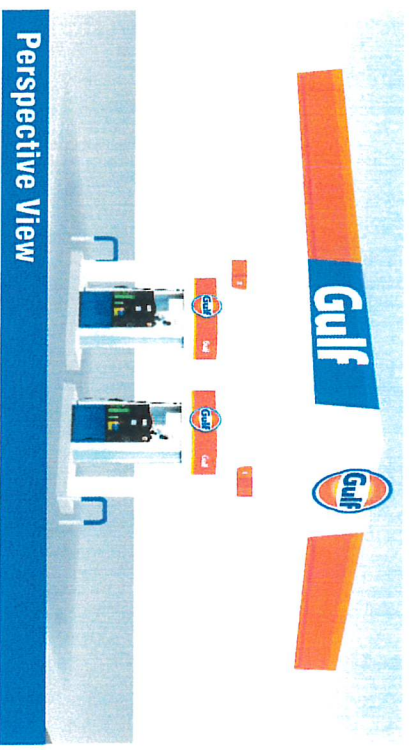
A

Canopy Visuals



Overhead Map

C - MID



Perspective View

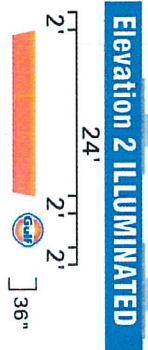
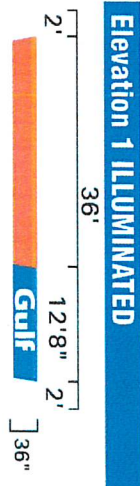
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Facility # 92051183	Date 09_25_2024	Customer GRJH INC	Created by B.DIGHERO	Revision # Original	Page # 2 OF 12
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Permit Pack

BIG RED ROOSTER FLOW
 7 Northfield Plaza, Ste. 250
 Northfield, IL 60093
 P: (647) 441-1818 F: (647) 592-9564



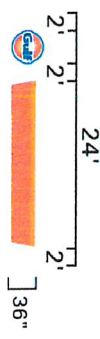
Existing Fascia:	---
Proposed:	36"

Elevation 3 STRIPED WHITE ACM

Distance from the building to the nearest edge of canopy: 0'



Elevation 4 ILLUMINATED



Street side



Gulf Word Mark

Quantity: 1

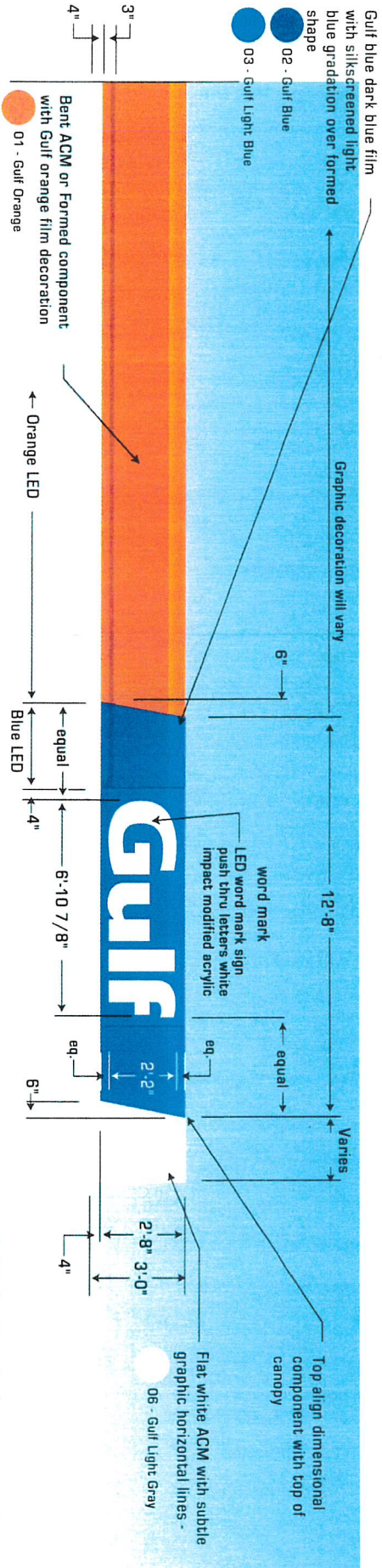
Total SF: 14.96 SF

Fascia Height: 36"

36" high canopy fascia with

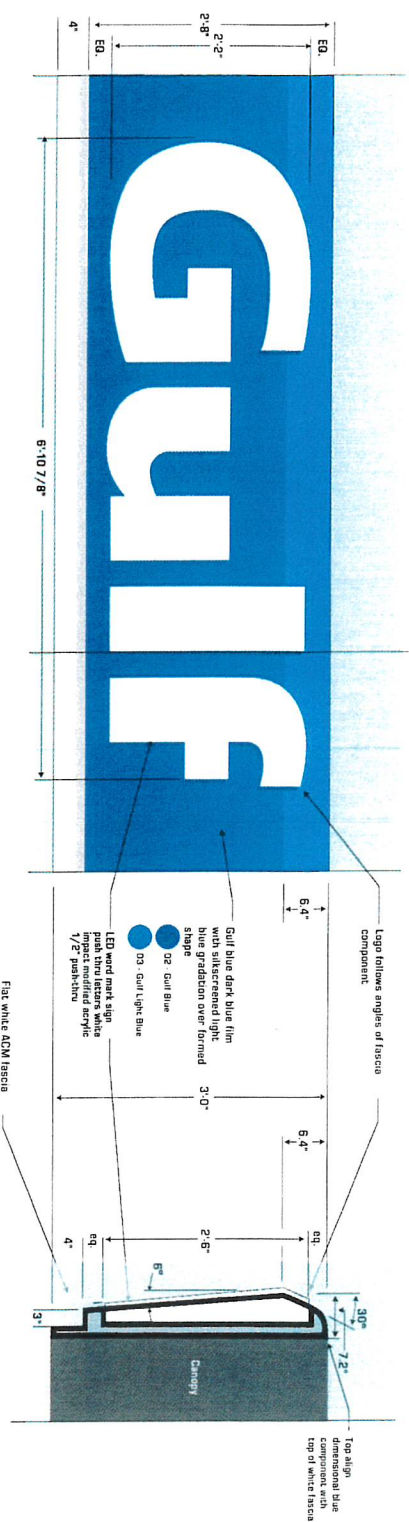
small word mark sign elevation

Scale: 1/4" = 1'-0"



32" high canopy fascia component with

small word mark sign elevation



**** Right handed canopy shown, left handed canopy would mirror these guidelines ****

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Permit Pack					
BIG RED ROOSTER FLOW					
2 Northfield Plaza, 3rd Floor Northfield, IL 60093 P: (847) 441-1818 F: (847) 592-9564					

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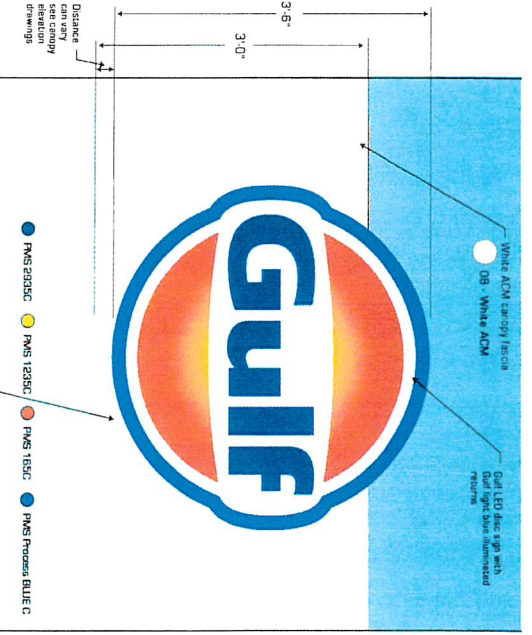


Gulf Disc

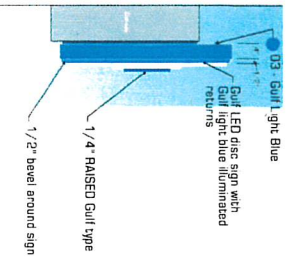
42" DISC

disc sign elevation

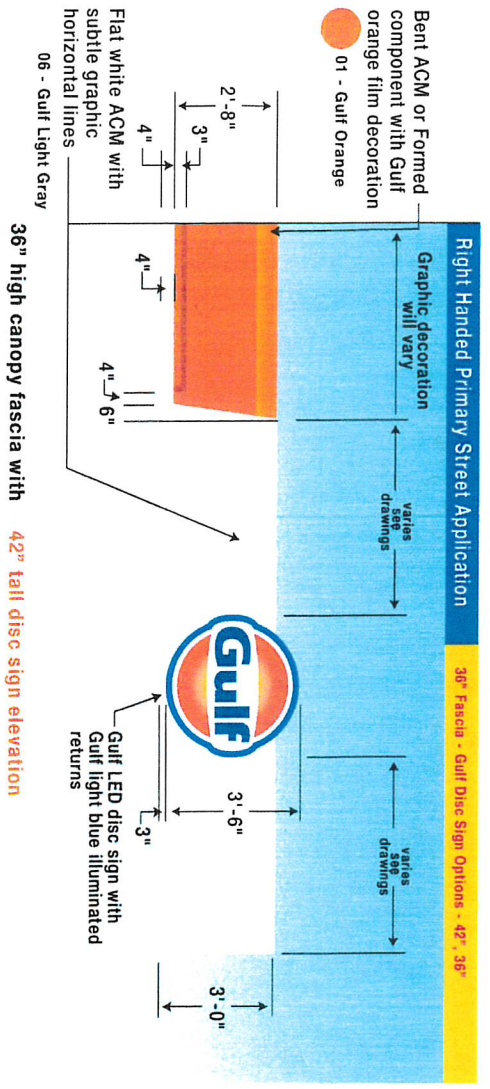
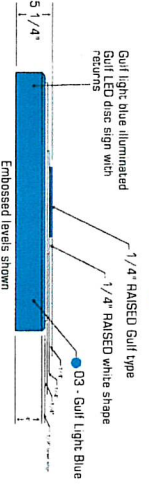
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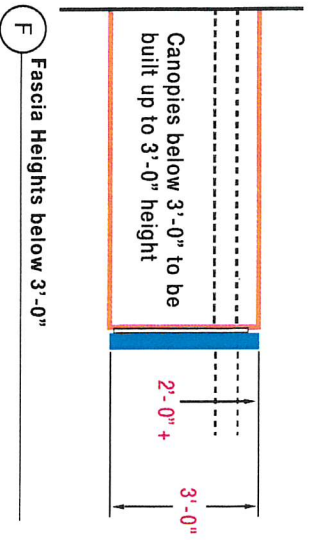
Side Elev
Scale: 1" = 1'-0"



Emboss canopy disc sign elevation



Quantity:	2
Total SF:	19.24
Fascia Height:	36"



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Facility #	Date	Customer	Created by	Revision #	Page #
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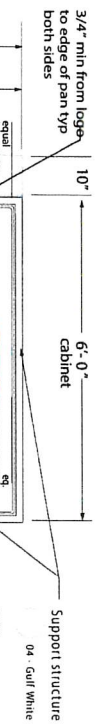
Permit Pack

BIG RED ROOSTER FLOW
 2 Northfield Plaza, Ste 250
 Northfield, IL 60093
 P: (847) 441-1818 F: (847) 592-9564

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MID Sign Visuals



Existing SF:	--
Proposed SF:	78 SF

Proposed New 6' flag sign system:

Facility #	Date	Customer	Created by	Revision #	Page #	Permit Pack
92051183	09_25_2024	GRJH INC	B.DIGHERO	Original	7 OF 12	BIG RED ROOSTER FLOW 2 Northfield Plaza, Suite 220 Northfield, IL 60093 P: (847) 441-1818 F: (847) 592-9554

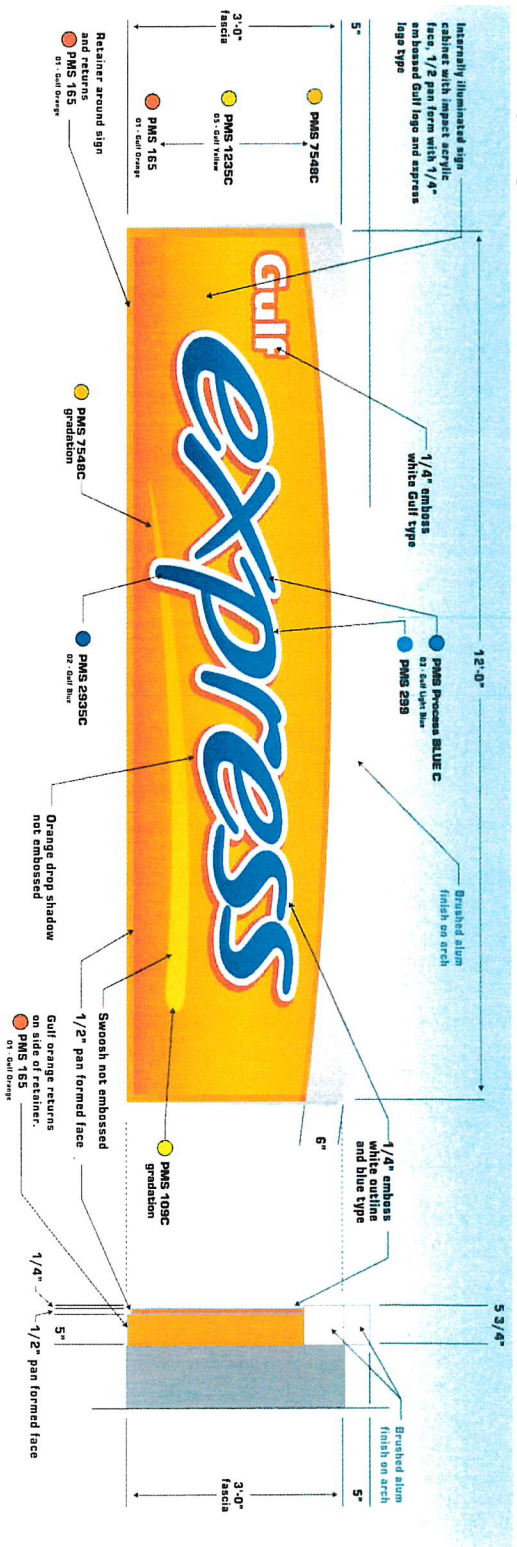
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Building Visuals

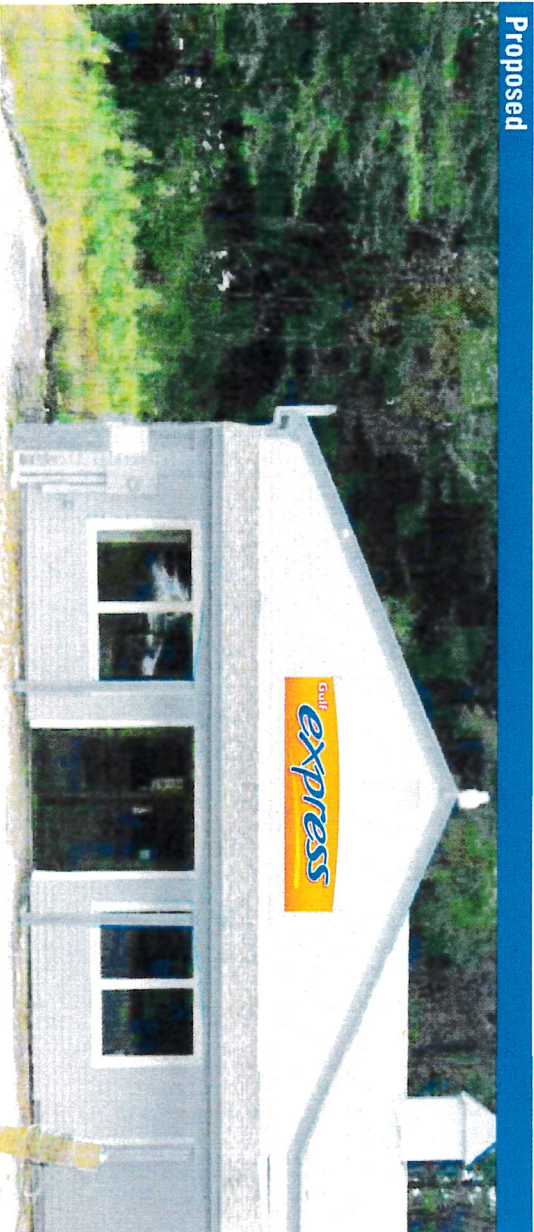
12'-0" acrylic sign - 3'-0" tall fascias or applied to wall - Illuminated



Existing



Proposed



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Facility # 92051183	Date 09_27_2024	Customer GRJH INC	Created by B.DIGHERO	Revision # R1	Page # 6 OF 13
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Permit Pack

BIG RED ROOSTER FLOW

2 Northside Plaza, Ste 250
Northside, IL 60093
P: (847) 441-1818 F: (847) 592-5654

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CANTERBURY ZONING BOARD OF ADJUSTMENT
CANTERBURY, NEW HAMPSHIRE

APPLICATION FOR A SPECIAL EXCEPTION

For ZBA use:
Received: _____
Fees Paid: _____
Accepted: _____
Case No.: _____

Owner Name and Address:

GRJH, Inc.

c/o Falcom Petroleum, LLC, P.O. Box 522

Millerson, NY 12546

Telephone No.: 603-223-9172

Map & Lot No.: Map 248, Lot 16

Location of Site: 125 West Road

Total Acreage: 0.570

Applicant's Name and Address if different from owner:

John L. Arnold, Orr & Reno, P.A.

45 South Main Street, P.O. Box 3550

Concord, NH 03302-3550

Zoning District (AC, C, CH, I, N, RE or RU): C

A Special Exception is requested to allow: More than 1 sign, more than 10sf of signage, and a
freestanding sign measuring approximately 20' tall.

This Special Exception is requested from Article 2 Section 2.6 of
the Canterbury Zoning Ordinance.

Name & Address of All Abutting property owners: Use Separate Abutters List Sheet

Page 2 Application for Special Exception

It is the responsibility of the applicant to supply the following information, as applicable, to allow the Zoning Board of Adjustment to make findings on each of the points below relative to a request for a Special Exception. (See Section 8.2) Attach additional pages as necessary.

1. That granting the permit would be in the public interest: See attached narrative.

2. Describe how the proposed use would not adversely affect the property values in the district: See attached narrative.

3. That the site specific site is an appropriate location for the proposed use: _____
See attached narrative.

4. That the proposed use would not adversely affect the health and safety of the residents and others in the area and would not be detrimental to the use or development of adjacent or neighboring properties: See attached narrative.

5. That the proposed use would not constitute a nuisance because of offensive noise, vibration, smoke, dust, odors, heat, glare, or unsightliness:

See attached narrative.

6. That granting of the permit would be in the spirit of the ordinance. _____

See attached narrative.

7. That the proposed use would not constitute a hazard because of traffic, hazardous materials, or other conditions. See attached narrative.

NATURAL RESOURCE SUPPLEMENTAL CONDITIONS -*Natural Resource Zone Only*

1. Landscaping and development be compatible with existing development. N/A

2. Proposed uses be planned and oriented to respect natural features, solar access, scenic vistas and natural drainage areas. N/A

3. Access ways and provisions for motor vehicles be planned to minimize their impact. _____

N/A

Plot Plan to Accompany Application. This application must be accompanied by a plot plan which is drawn to scale and is of sufficient detail to support the statements made in this application, and to illustrate compliance with the special conditions required in the ordinance. At a minimum, the plot plan must show the location and dimension of existing and proposed building footprints, setback distances to the property lines and road right of way; the location of well and septic systems; significant physical or topographic limitations to development of the lot; and parking and loading areas as applicable. Setback distances from roads must be based on the distance from the edge of the right of way, not the pavement edge. If you are uncertain of the road right of way location, contact the Town Road Agent for more information.

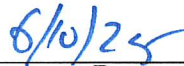
By signing this application I/we understand that the information provided herein is accurate and is in accordance with the Canterbury Zoning Ordinance and other land use regulations of the Town and other applicable state and federal regulations which may apply.

If the applicant is not the same as the owner, a letter of authorization must be submitted along with the application.

I/we consent to allow the Canterbury Zoning Board of Adjustment or its designee to make onsite inspection(s) of my/our property as deemed necessary for the evaluation of my/our application.



Attorney for Owner



Date

Owner/Applicant Signature

Date

TOWN OF CANTERBURY, NH
ABUTTERS FORM

Instructions: Please indicate the name and mailing address of all abutters to the property which shall be reviewed by the Zoning Board. "Abutter" means any person whose property is located in New Hampshire and adjoins or is directly across the street or stream from the land under consideration by the local land use board. For purposes of receiving testimony only, and not for purposes of notification, the term "abutter" shall include any person who is able to demonstrate that his land will be directly affected by the proposal under consideration. For purposes of receipt of notification by a municipality of a local land use board hearing, in the case of an abutting property being under a condominium or other collective form of ownership, the term abutter means the officers of the collective or association, as defined in RSA 356-B:3, XXIII. Please also include the names of all Attorneys, Engineers, Surveyors, Planners, or Architects whose stamp appears on the plat to be submitted to the Board for review and the owner of the property on the plat. **PLEASE MAKE ADDITIONAL COPIES OF THIS FORM AS NECESSARY.**

Name: William L. Helm, III & GRJH, Inc.
Map / Lot: Map 248 Lot 16
Street: P.O. Box 522
City: Millerton
State/Zip: NY 12546

Name: Dennis Keifer & Barbara Lundberg
Map / Lot: Map 248 Lot 12
Street: 134 West Road
City: Canterbury
State/Zip: NH 03224

Name: State of New Hampshire
Map / Lot: Map 248 Lot 17
Street: P.O. Box 483
City: Concord
State/Zip: NH 03302-0483

Name: Robin Lynn Preve & Anthony Abbott
Map / Lot: Map 251 Lot 20
Street: 147 West Road
City: Canterbury
State/Zip: NH 03224

Name: Harold F. French
Map / Lot: Map 248 Lot 9
Street: 118 West Road
City: Canterbury
State/Zip: NH 03224

Name: Station Meadow, LLC
Map / Lot: Map 251 Lot 18
Street: 4 Dunlap Road
City: Burlington
State/Zip: MA 01803

Name: Laura French, Chloe French & Dylon Montminy
Map / Lot: Map 248 Lot 8
Street: 114 West Road
City: Canterbury
State/Zip: NH 03224

Name: 114 West Road, LLC
Map / Lot: Map 248 Lot 8.1
Street: 709 Keith Avenue
City: Pembroke
State/Zip: NH 03275

Name: Dale & Judith Patterson
Map / Lot: Map 248 Lot 11
Street: 130 West Road
City: Canterbury
State/Zip: NH 03224

Name: John L. Arnold, Esq.
Map / Lot: Orr & Reno, PA
Street: 45 S. Main Street
City: Concord
State/Zip: NH 03301

NARRATIVE IN SUPPORT OF
SPECIAL EXCEPTION APPLICATION – GRJH, INC.

GRJH, Inc. owns the property located at 125 West Road in Canterbury (Tax Map 248, Lot 16) (the “Property”). The Property is located in the Commercial Zoning District, right off of Exit 18 from Route 93. It has historically been operated as a gas station, although it has been closed for the past several years as GRJH has worked steadily to renovate and reopen the station and related Underground Fuel Storage Tank (“UST”) system since then.

In October 2024, this Board granted a Special Exception to GRJH to resume the gasoline station use. In December 2024, the Board determined that the UST system was protected as a pre-existing nonconforming use in the Groundwater Protection Overlay District, and could be replaced without the need for a new variance. At those meetings, GRJH explained that it was seeking these fundamental approvals for the use itself, and that it had not yet completed all of its design work with respect to signage.

GRJH has now identified Gulf Oil as the station operator, and Gulf has provided its signage requirements, attached hereto as Exhibit A. The proposed signage is generally consistent with the signage at the Property prior to closure. See photograph attached hereto as Exhibit B. There are currently 2 signs on the building, each measuring approximately 36 sf. Under the proposal, one of those signs would be replaced with a Gulf Express sign, approximately the same size, and the second building sign would be removed and not replaced at this time. The previous fuel canopy had no signage on it, and the Gulf name and emblem would be added to the new canopy being built. The existing fuel pumps have names and logos on them, and the new pumps will be similar. One existing pylon sign measures approximately 17’4” tall¹ and 36sf, and there is a second 14’ tall freestanding sign in the shape of a railroad crossing (area unknown). The proposed pylon sign would measure approximately 20’ tall and 78sf, and the second railroad crossing sign would be removed and not replaced. With respect to the pylon sign, it is also important to note that a much taller and larger sign was previously approved and apparently never built. In 1993, this Board granted a special exception to allow a 50’ tall pylon sign containing approximately 140 sf. See September 9, 1993 Notice of Decision, attached hereto as Exhibit C.

Section 2.6 of the Zoning Ordinance allows only 1 sign with a maximum of 10sf per side. Further, freestanding signs are allowed to be no more than 10’ tall. Section 2.6 authorizes this Board to grant a special exception to increase the size, height and number of signs in the Commercial Zoning District.

Accordingly, GRJH seeks a special exception to allow more than one sign, more than 10sf. of signage, and a freestanding sign measuring approximately 20’ tall, all as more particularly shown on the plans enclosed herewith. GRJH has filed a separate application together herewith, seeking a variance to allow internally illuminated signage and electronic price display signage.

¹ The September 9, 1993 ZBA meeting minutes indicate that the existing pylon sign is approximately 24’ tall. Our estimates show it to be 17’4” tall.

As set forth below, GRJH meets the criteria set forth in Section 8.1(A) of the Zoning Ordinance for a special exception:

1. Granting the permit would be in the public interest.

The proposed signage is typical of modern gas stations. It provides safe and adequate identification for motorists, without being obtrusive or overwhelming. The proposed signage is not dramatically different than the signage for the prior gas station. The primary differences are that: (i) one of the existing building signs will be removed; (ii) Gulf logos will be added to the canopy; and (iii) the freestanding sign will be slightly taller and larger than the prior sign (but much smaller than the sign approved in 1993 and never built). While these changes will be apparent, they will not negatively impact the public interest.

As discussed at the prior hearings, reopening of this gas station is in the public interest because it would dramatically improve both the appearance and function of a site that has been sitting idle for several years. It will also provide a convenient service to residents and motorists on Route 93. Having an active business in this location will help generate tax revenue for the Town. Modern and brand-consistent signage is critical for the ultimate success of the business, and serves the public interest by making the station easily identifiable to motorists. Limiting a modern gas station to a single sign, no more than 10sf per side, and no taller than 10', would severely undercut its ability to attract customers and succeed long-term.

2. The proposed use would not adversely affect the property values in the district.

This Property has historically been used as a gasoline station and convenience store, since the late 1980s, with signage generally consistent with what is proposed now. The Property is adjacent to Route 93 on one side, and to the DOT maintenance sheds on the other. While there are residential properties across the street, the residences are set back from the road and well-screened from the station. As such, there will be no adverse effect on property values.

3. The specific site is an appropriate location for the proposed use.

The Property is particularly well-suited for the proposed use because the facility already exists. Building, canopy and pylon signage is typical, and expected, at any modern gas station. The close proximity to the highway further justifies slightly increased signage.

4. The proposed use would not adversely affect the health and safety of the residents and others in the area and would not be detrimental to the use or development of adjacent or neighboring properties.

The proposed signs will have no negative impact on health and safety. Their sole impact will be visual, and the visual impact will not be dramatically different than the prior gas station signage. The adjacent properties are already developed, and any potential future development or redevelopment will not be impacted in any way.

5. The proposed use would not constitute a nuisance because of offensive noise, vibration, smoke, dust, odors, heat, glare, or unsightliness.

The proposed signage does not constitute a nuisance. As noted above, it represents Gulf's branding across its stores, and is also generally consistent with all major gas station brands throughout the industry. If it were a nuisance here, it would be a nuisance nationwide.

6. That granting of the permit would be in the spirit of this ordinance.

The purpose of the Commercial Zoning District is "To permit commercial and retail growth and development in those areas most convenient to residents and to visitors so as to meet the daily needs of the community." See Zoning Ordinance § 5.3.A.4. Successful commercial and retail growth requires adequate signage to safely identify the business and inform customers passing by in vehicles. The signage allowance in the Zoning Ordinance is extremely limited, and although it may be adequate for some types of small businesses, it is not adequate for the ultimate success of a nationally-recognized gas station and convenience store, such as here.

7. That the proposed use would not constitute a hazard because of traffic, hazardous materials, or other conditions.

The proposed signage will not constitute a hazard. To the contrary, slightly larger and more prominent signage for a gas station is likely to improve traffic safety by making the facility easier to identify for motorists, particularly entering and existing the Route 93 interchange.

For the foregoing reasons, we respectfully request that the ZBA grant GRJH's request for a special exception to allow the proposed signage.

#5435045

Exhibit A
(Proposed Signage)



BIG RED ROOSTER FLOW
Mallcom Retail Solutions - Berkshire Hathaway

FACILITY NAME:

CANTERBURY GULF

PROJECT LOCATION:

124 WEST ROAD,
CANTERBURY, NH, 03224

PROJECT OVERVIEW:

- A** Canopy Visuals
- B** Dispenser Visuals
- C** Main ID Visuals
- D** Amenity Bin / Paint Visuals

approval signature

I have reviewed the visuals within this document and I approve the designs and scope of work listed within.

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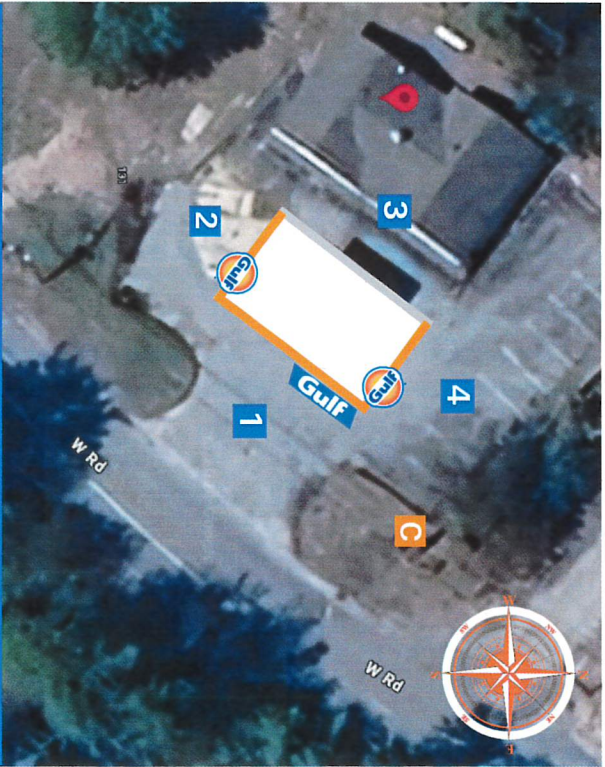
www.legalstore.com No. 7001
EXHIBIT
A

Permit Pack

BIG RED ROOSTER FLOW
2 Northfield Plaza, Ste. 250
Northfield, IL 60093
P: (847) 441-8181 F: (847) 592-9564

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A Canopy Visuals



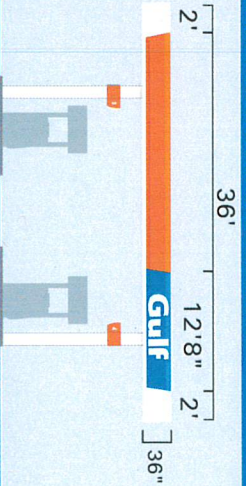
Overhead Map

C - MID

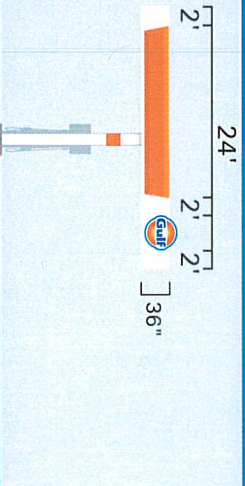


Perspective View

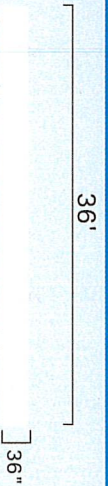
Elevation 1 ILLUMINATED



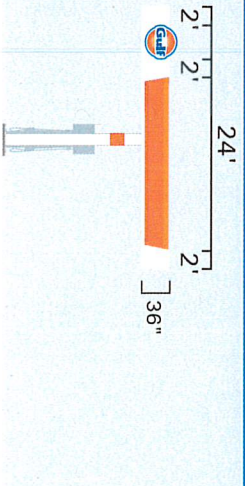
Elevation 2 ILLUMINATED



Elevation 3 STRIPED WHITE ACM



Elevation 4 ILLUMINATED



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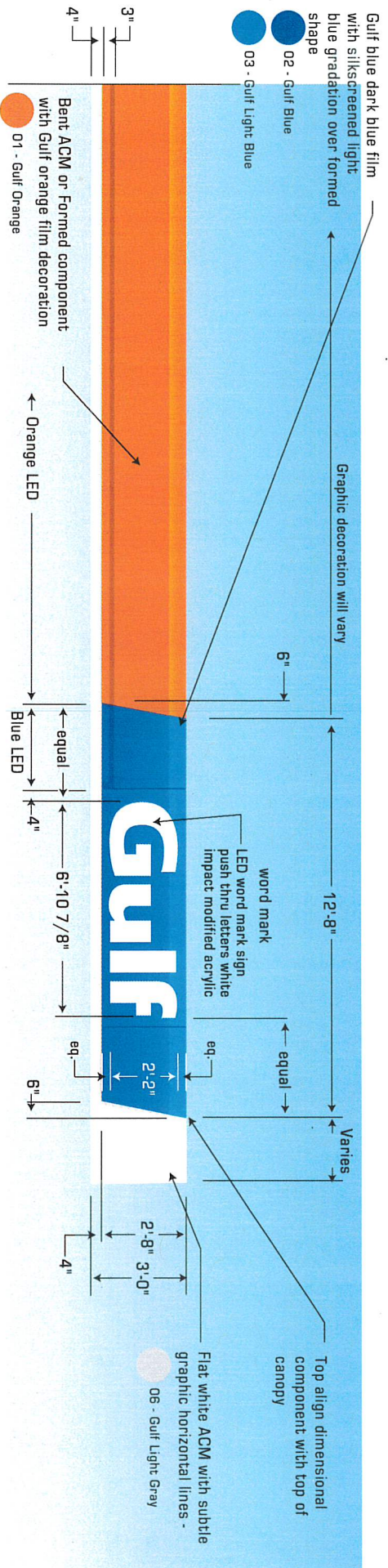
Gulf Word Mark

Quantity:	1	Total SF:	14.96 SF	Fascia Height:	36"
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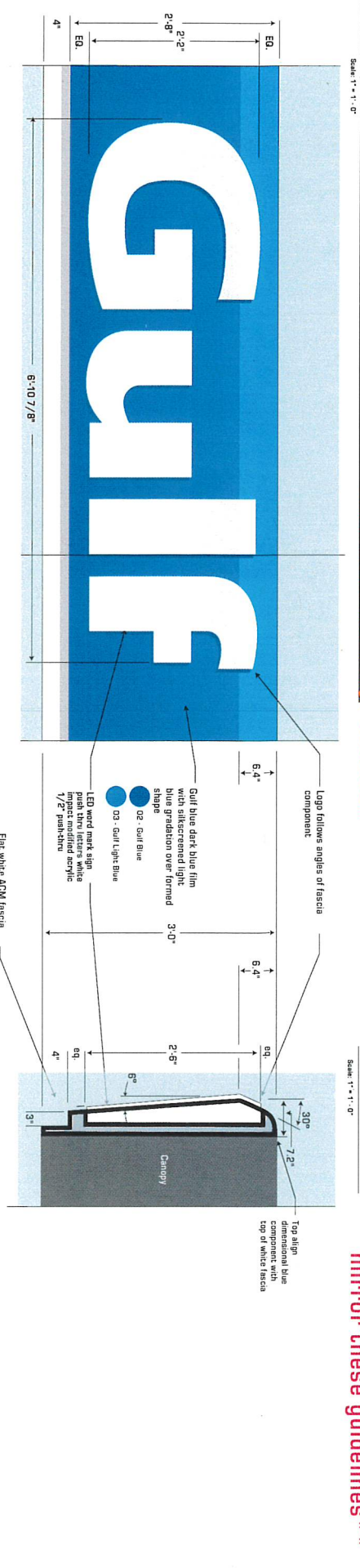
36" high canopy fascia with

small word mark sign elevation

Scale: 1/4" = 1'-0"



32" high canopy fascia component with small word mark sign elevation



**** Right handed canopy shown, left handed canopy would mirror these guidelines ****

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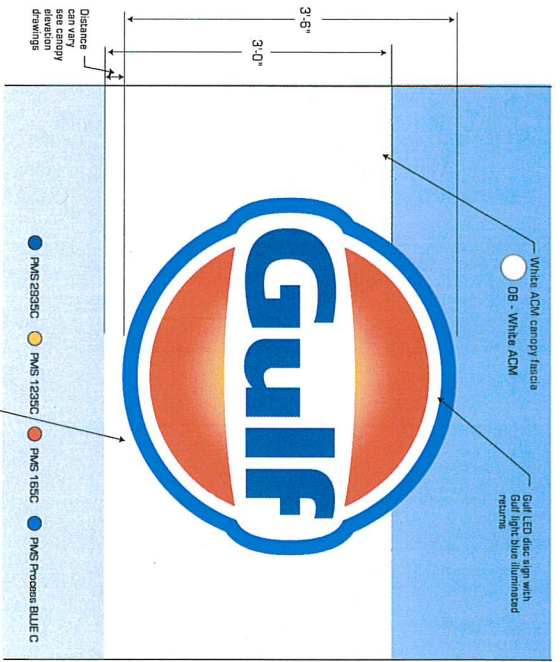


Gulf Disc

42" DISC

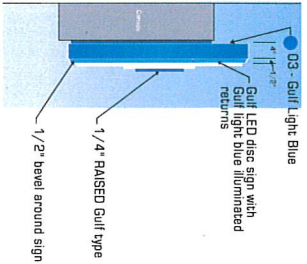
disc sign elevation

Scale: 1" = 1'-0"



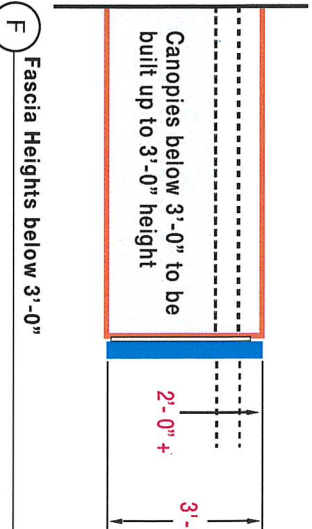
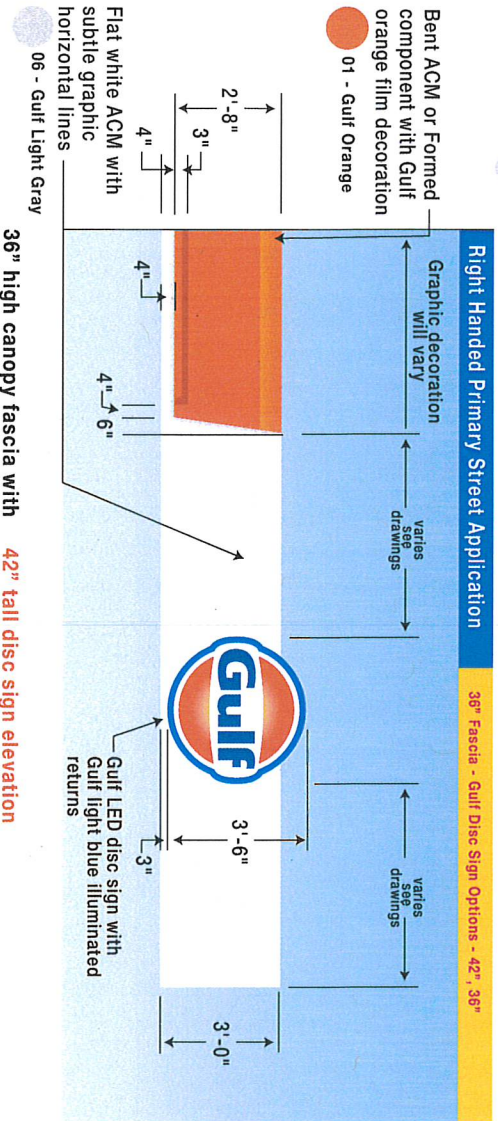
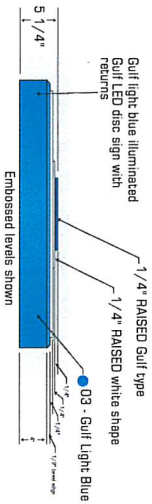
Side Elev

Scale: 1" = 1'-0"



Emboss canopy

disc sign elevation



Quantity:	2
Total SF:	19.24
Fascia Height:	36"

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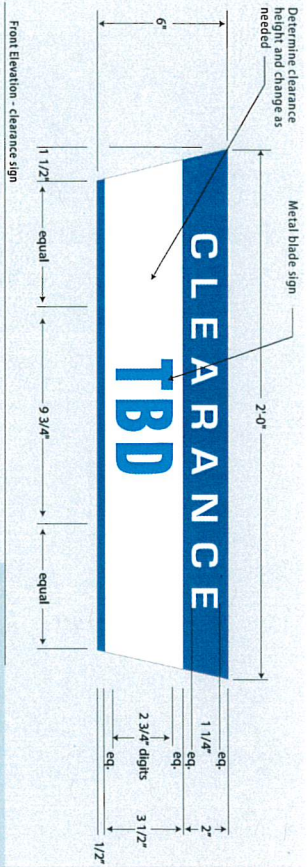
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A Column / Clearance Visuals

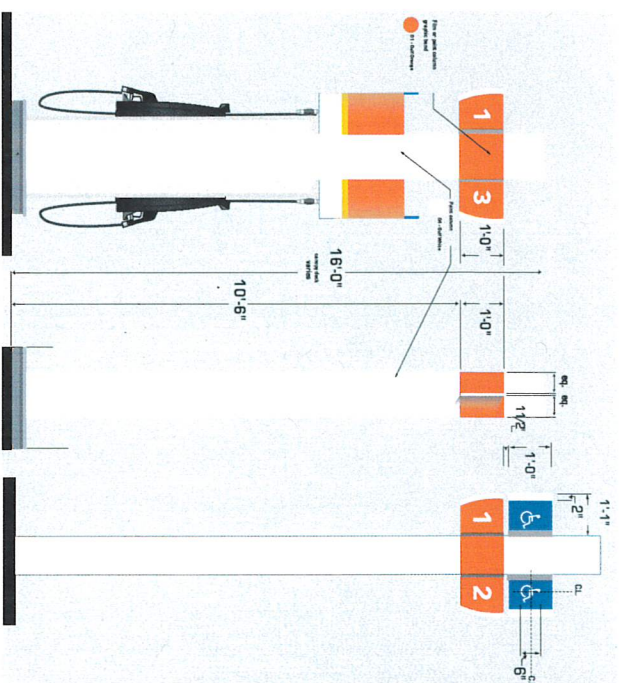
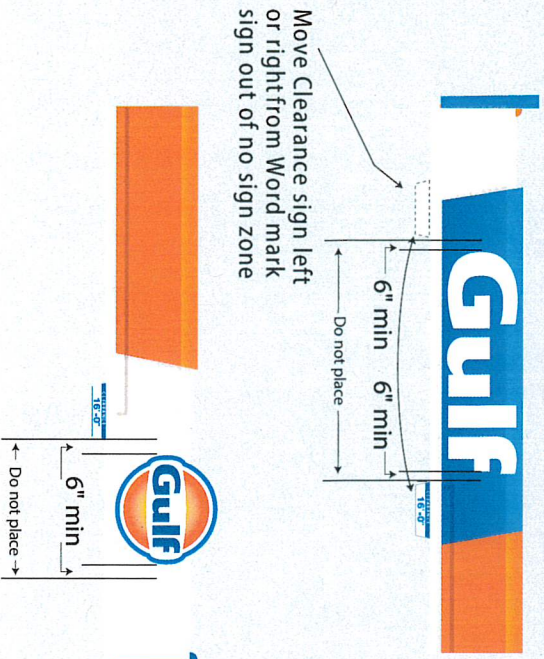
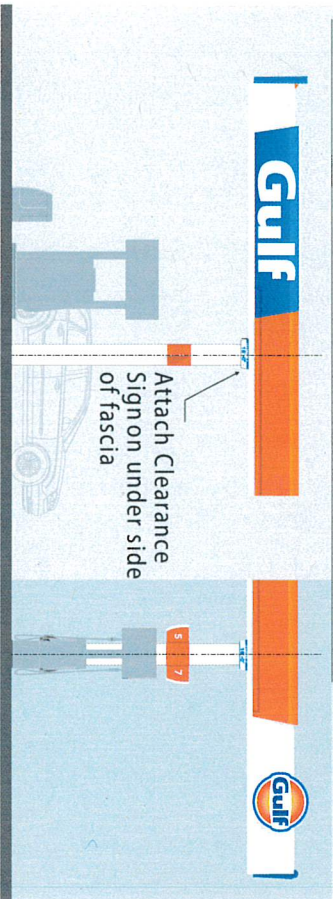


Canopy Clearance
Sign should be positioned in the most visible sightlines for consumers entering the forecourt.

Align off column as first priority. If that location does not provide adequate visibility, move to a position that does.

Do not position Clearance sign under a Gulf word mark sign or Gulf disc sign. Follow rules established on this sheet

(2) Clearance signs are typically used per canopy. If more are needed, seek approval from Gulf reimage team



9'-8" is a min height to lower blade signs if obstructions above force blade signs down on column

Column blade signs are intended to be installed with best view from the cashier area.

Each column to be measured from the grade to the bottom of the blade.

Towel dispensers and old decals that are not approved by Gulf should be removed from canopy columns and given to the dealer/site management should they want to keep them OR disposed of in installer supplied dumpsters.

Fire extinguisher cabinets should be removed prior to painting the canopy columns and reinstalled after painting the columns.

Columns with Cladding will need special hardware for install.

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			BIG RED ROOSTER FLOW		
			2 Northfield Plaza, Ste. 250 Northfield, IL 60093		
			P: (847) 441-1818 F: (847) 592-9564		



Dispenser Visuals

State/local regulatory messages are the responsibility of Gulf Oil's dealer/distributor

***While reimagining the dispensers, if the weights and measures labels have to be altered please remove them and place them on a 8.5"X11" paper and hand deliver to a store representative. Ask the store representative to call the listed number for a new test.**

***Wayne Ovation 2 dispensers will receive column warning decals.**



Priority 1
Place one safety decal on either inside MIDU riser panel. Center in width of riser. Place high enough to be clearly visible to customer. If obstructed, place decal in Priority locations 2 or 3.

Priority 2
Mount safety decal on column, if it is close to the pump and visible to the consumer.

Larger Dispenser Has an Safety Decal

Proposed New **Gilbarco Encore 500/700S 3+1** **Quantity: 2**

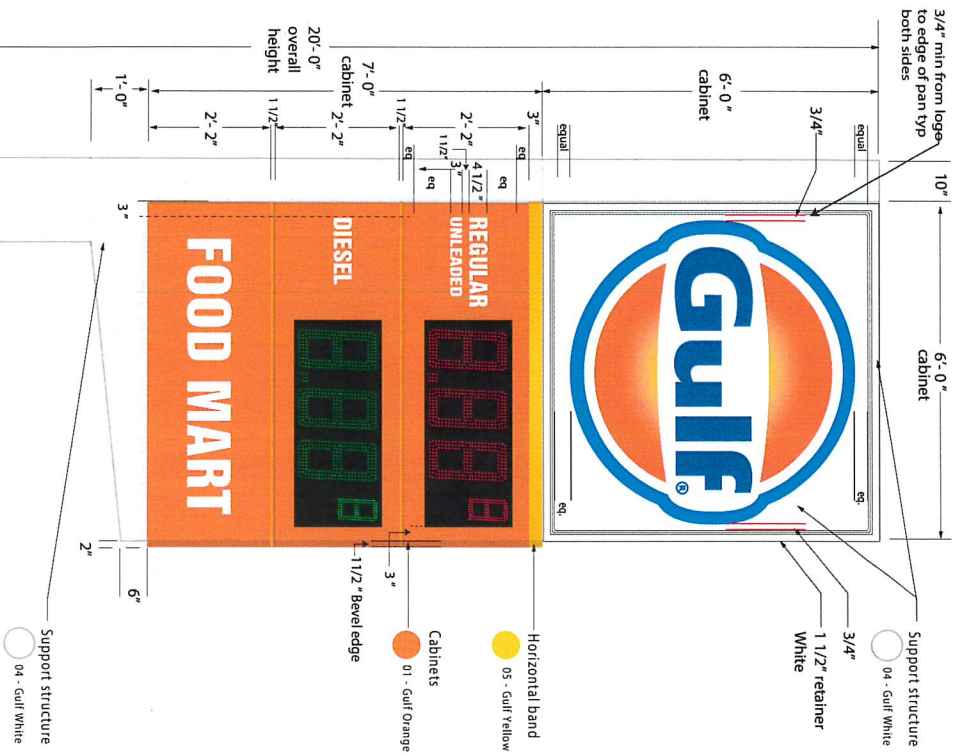
Facility # 92051183	Date 09_25_2024	Customer GRJH INC	Created by B.DIGHERO	Revision # Original	Page # 6 OF 12
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MID Sign Visuals

Existing SF:	--
Proposed SF:	78 SF



Proposed New 6' flag sign system:

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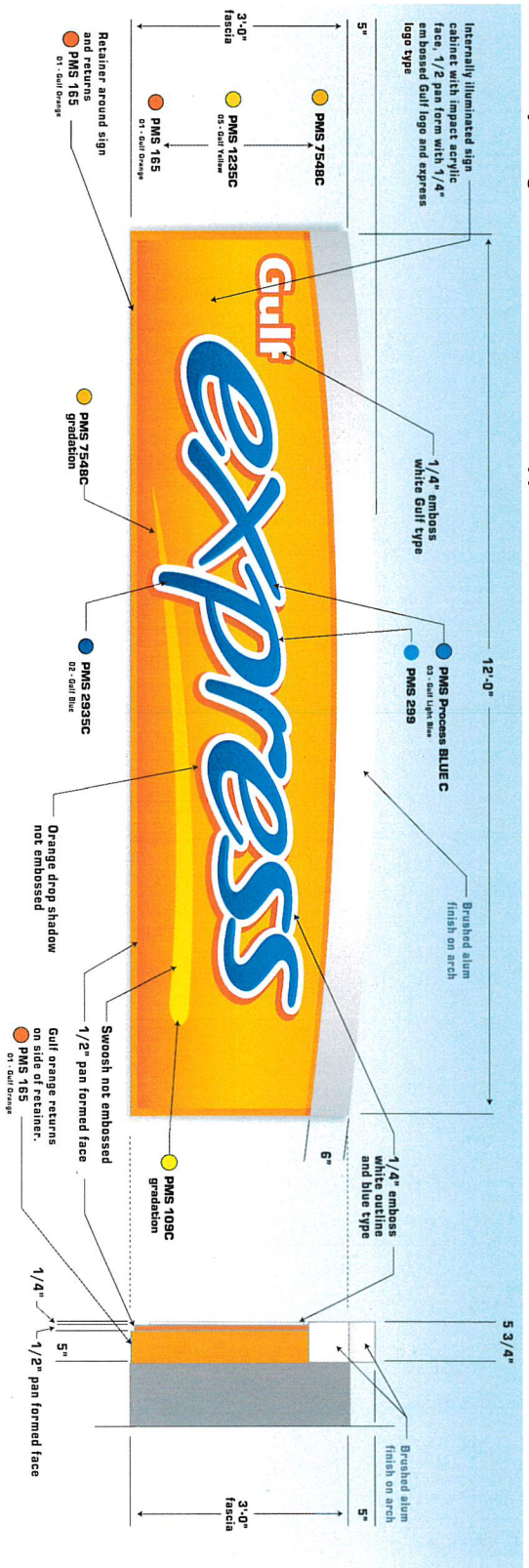
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Building Visuals

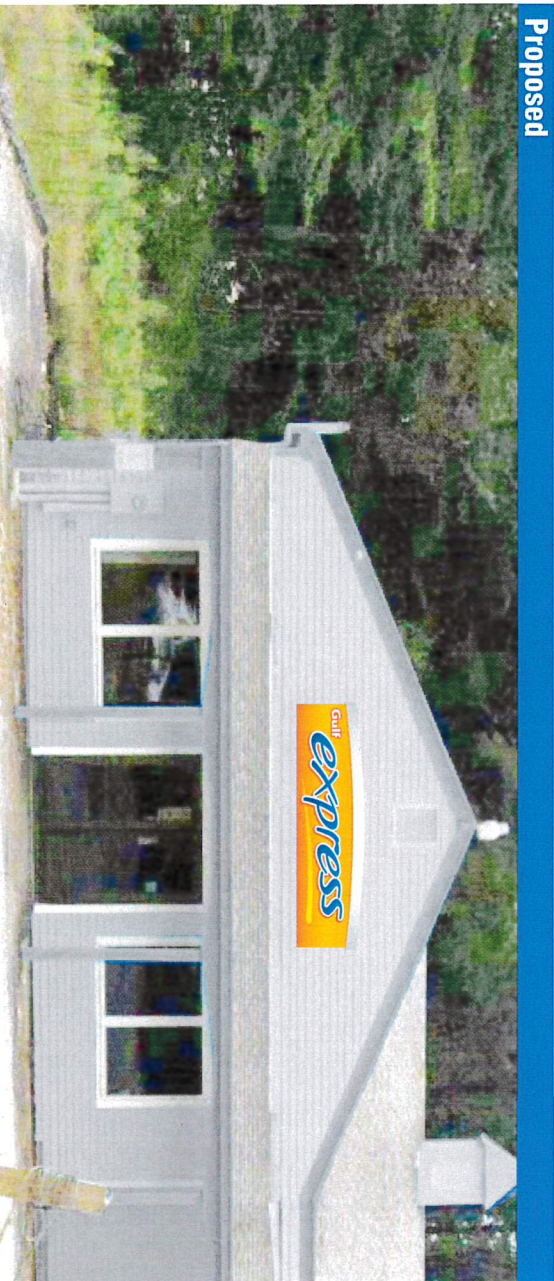
12'-0" acrylic sign - 3'-0" tall fascias or applied to wall - Illuminated



Existing



Proposed



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Facility # 92051183	Date 09_27_2024	Customer GRJH INC	Created by B.DIGHERO	Revision # R1	Page # 6 OF 13	Permit Pack BIG RED ROOSTER FLOW 2 Northfield Plaza, Ste 250 Northfield, IL 60093 P: (847) 441-1818 F: (847) 592-9564
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Exhibit B

(Existing Signage Photo)

6/9/25, 9:52 AM

128 W Rd - Google Maps

Google Maps

128 W Rd

Centerbury, New Hampshire
Google Street View

Aug 2019



Google

Image capture: Aug 2019 © 2025 Google



Exhibit C
(1993 ZBA Approval)



NOTICE OF DECISION
ZONING BOARD OF ADJUSTMENT
CANTERBURY, N. H.

DATE: 9/9/93

CASE NO: 1993-08

You are hereby notified that the request of

Luke J. Smith, Jr.

for a Special Exception under the terms of Article 2.6 of the zoning ordinance has been **GRANTED**, subject to the conditions listed below by the affirmative vote of at least three members of the zoning board of adjustment.

CONDITIONS:

A motion was made and passed to grant the request for a special exception for the erection of a lighted sign (after the removal of the two existing signs) that will be, from the ground to the top of the sign, no greater than 50 feet and the actual sign will be 7' 7" high and 19 feet wide, and the request for an unlighted wooden crossroad sign that will be no higher than 14 feet.

Granting of the permit would be in the public interest because it is beneficial to the area to encourage an ongoing business and if the business cannot be seen from the highway, it clearly operates at a disadvantage of the business.

The proposed use would not adversely affect the property values in the district; it would increase the property values.

The specific site is an appropriate location for the proposed use since the business is existing.

The proposed use would not adversely affect the health and safety of the residents and others in the area and would not be detrimental to the use or development of adjacent or neighboring properties.

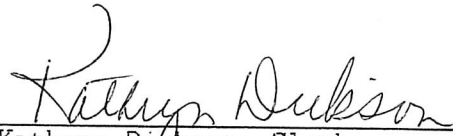
The proposed use would not constitute a nuisance because of offensive noise, vibration, smoke, dust, odors, heat, glare, or unsightliness because there will be none.

The granting of the permit would be in the spirit of this ordinance.

The proposed use would not constitute a hazard because of traffic, haz-

ardous materials, or other conditions provided. However, since the previous request required site plan review, Luke Smith will need to go to the Planning Board for site plan review before the signs in question are erected.

The interior illumination of the sign shall be no greater on a per square foot basis than that which presently exists.



Kathryn Dickson, Clerk
Board of Adjustment

NOTE: Any person affected has a right to appeal this decision. If you wish to appeal, you **must act within twenty days** of the date on this notice. The necessary first step, before any appeal may be taken to the courts, is to apply to the Board of Adjustment for a rehearing. The **Motion for Rehearing** must set forth all the grounds on which you will base your appeal.

See NH RSA Chapter 677, for details.